

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:13-cr-223-02

v.

HONORABLE PAUL L. MALONEY

MICHAEL EUGENE HEAD,

Defendant.

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**MEMORANDUM OPINION AND ORDER**

Defendant Michael Eugene Head has filed a motion for modification or reduction of sentence pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to drug quantity.

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to drug quantity, and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10(c).

However, Amendment 782 provides defendant with no relief. Pursuant to U.S.S.G. § 5G1.2(d), the defendant was sentenced to consecutive terms of imprisonment of 36 months on Count One (Misprision) and 48 months on Count Two (Unlawful Use of a Communication Facility), resulting in a guideline sentence of 84 months. The application of Amendment 782

does not retroactively lower the sentencing guideline range. Accordingly,

**IT IS HEREBY ORDERED** that Defendant Michael Eugene Head's motion modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (ECF No. 216) is **DENIED**.

Date: February 11, 2015

/s/ Paul L. Maloney

Paul L. Maloney  
Chief United States District Judge